

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2004-013043

03/29/2006

HONORABLE PETER SWANN

CLERK OF THE COURT
D. Kenney
Deputy

FILED: 04/05/2006

APRIL LEANN SANCHEZ PETERSEN, et al.

STEVEN M FRIEDMAN

v.

MARCO ANTONIO HERNANDEZ RIVERA, et
al.

THOMAS P BURKE II

JURY TRIAL – DAY 3 – VERDICT RENDERED

9:26 a.m. Trial to a Jury. Plaintiffs April Leann Sanchez Petersen and Scott Petersen are present with counsel, Steven Friedman and David Rosen. Defendant Marco Antonio Hernandez Rivera and a representative of Pilgrims Pride are present with counsel, Thomas Burke.

Court Reporter, Judie Bryant, is present.

Discussion is held regarding final jury instructions.

Plaintiff presents an oral Motion for Direct Verdict re: Fault and Responsibility and Claims Fault.

IT IS ORDERED denying Plaintiffs' Motions, without prejudice to renew after a verdict is rendered.

9:55 a.m. The jury is present.

Closing arguments are presented.

The closing Jury Instruction is read.

Plaintiffs' Exhibit 21 is received in evidence.

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11:36 a.m. The jury retires in charge of sworn bailiff to consider their verdicts.

1:44 p.m. IN CHAMBERS. A telephonic Status Conference is held with respective counsel present regarding a question from the jury. Court and counsel discuss the question, and answers are provided to the jury through written correspondence by the Court.

3:15 p.m. Court reconvenes with respective parties and counsel present.

Court Reporter, Judie Bryant, is present.

The Jury is all present in the jury box and by their foreperson return into Court their verdict, which is read and recorded by the clerk and is as follows:

"We, the Jury, duly empanelled and sworn in the above-entitled action, upon our oaths, do find in favor of Plaintiffs, April Leann Sanchez Petersen and Scott Petersen, and find the full amount of damages to be \$45,834.00. We find the relative degrees of fault to be: Plaintiffs, April Leann and Scott Petersen, 40% and Defendants, Marco Antonio Hernandez Rivera and Pilgrims Pride Corp., 60%."

There being no further need to retain the exhibits not offered in evidence in the custody of the Clerk of the Court,

IT IS ORDERED that the clerk permanently release all exhibits not offered in evidence to the counsel/party causing them to be marked, or to their written designee. Counsel/party shall have the right to refile relevant exhibits as needed in support of any appeal. Refiled exhibits must be accompanied by a Notice of Refiling Exhibits and presented to the Exhibits Room of the Clerk's Office. The court's exhibit tag must remain intact on all refiled exhibits.

IT IS FURTHER ORDERED that counsel/party or written designee take immediate possession of all exhibits referenced above.

3:18 p.m. Trial concludes.

ISSUED: Exhibit Release Form

FILED: Exhibit Worksheet; Jury Instructions; Jury Questions, Trial Worksheet